

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITY OF ALMATY, KAZAKHSTAN and BTA
BANK JSC,

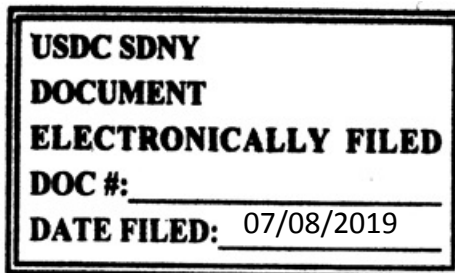
Plaintiffs,

-against-

MUKHTAR ABLIAZOV, VIKTOR
KHRAPUNOV, ILYAS KHRAPUNOV, and
TRIADOU SPV S.A.,

Defendants.

15 Civ. 5345 (AJN) (KHP)



STIPULATION AND [PROPOSED] ORDER

WHEREAS, the Court previously entered a Stipulated Protective Order in this action concerning the treatment of information produced in the above-referenced action (the “First Action”) that the producing party designated Confidential or Attorneys’ Eyes Only (referred to as “Confidential Discovery Material”) [*see* ECF No. 253 (the “Stipulated Protective Order”)];

WHEREAS, under Paragraph 2 of the Stipulated Protective Order, Confidential Discovery Material is “solely for use in connection with the above-captioned action, unless otherwise agreed by the producing party, ordered by the Court, or otherwise provided for [in the Stipulated Protective Order]” [ECF No. 253 ¶ 2];

WHEREAS, the City of Almaty, Kazakhstan and BTA Bank JSC (“Plaintiffs”) have commenced separate litigation, *see City of Almaty, Kazakhstan et ano. v. Sater et al.*, No. 19 Civ. 2645 (AJN) (KHP) (S.D.N.Y.) (the “Second Action”), that the Court previously determined is related to the First Action [*see* Docket Entry dated March 29, 2019, in Case No. 19 Civ. 2645];

WHEREAS, in the interests of a more just, speedy, and inexpensive determination in the Second Action, the Plaintiffs seek to produce Confidential Discovery Material from the First Action in the Second Action; and

WHEREAS, the defendants in the First Action consent to the production of Confidential Discovery Material in the Second Action subject to the terms of this Stipulation and Order;

NOW, THEREFORE, SUBJECT TO THE APPROVAL OF THE COURT, IT IS HEREBY STIPULATED AND AGREED:

1. That notwithstanding Paragraph 2 of the Stipulated Protective Order, Plaintiffs may produce Confidential Discovery Material from the First Action in the Second Action subject to the following conditions:

- a. Any person who receives Confidential Discovery Material in the Second Action as that term is defined in the Stipulated Protective Order agrees that the Confidential Discovery Material will be held and used by that person solely for use in connection with the Second Action, unless otherwise agreed by the producing party, ordered by the Court, or otherwise provided for in the Stipulated Protective Order;
 - b. Any person who receives Confidential Discovery Material in the Second Action agrees to use the Confidential Discovery Material in the Second Action under the terms provided for in the Stipulated Protective Order; and
 - c. Any person who receives Confidential Discovery Material in the Second Action has first executed a Non-Disclosure Agreement in the form annexed as an Exhibit hereto.
2. Nothing in this Order affects the parties' obligations in the First Action or the

Second Action to comply with the Court's Individual Practices in Civil Cases governing redactions and filing under seal.

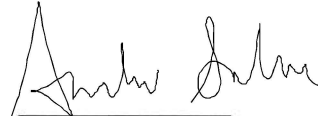
SO STIPULATED AND AGREED.



Name: Matthew Schwartz

Dated: 7/3/19

Attorney for BTA Bank and City of Almaty, Kazakhstan



Name: Andrew T. Solomon

Dated: July 3, 2019

Attorney for Viktor and Ilyas Khrapunov

Name: _____

Dated: _____

Mukhtar Ablyazov, pro se

Name: _____

Dated: _____

Attorney for Triadou SPV S.A

IT IS SO ORDERED.

Dated: July 8, 2019

New York, New York



Katharine H. Parker

United States Magistrate Judge

Second Action to comply with the Court's Individual Practices in Civil Cases governing redactions and filing under seal.

SO STIPULATED AND AGREED.

Name:
Dated:

*Attorney for BTA Bank and City of
Almaty, Kazakhstan*

Name:
Dated:

*Attorney for Viktor and Ilyas
Khrapunov*

Name:
Dated:

Mukhtar Ablyazov, pro se

Deborah A. Skakel - Blank Rome LLP

Name: *Deborah A. Skakel / Blank Rome LLP*
Dated: *1.3.2019*

Attorney for Triadou SPV S.A

IT IS SO ORDERED.

Dated: _____, 2019
New York, New York

Katharine H. Parker
United States Magistrate Judge